

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Michael A. Lilley

CASE NO: 13-20290-STF/dkv

I, Tracey Harris Branch, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

1. From in or about June 2013 , continuing through in or about September 6, 2013, in the Western District of Tennessee and elsewhere, the defendant,

MICHAEL A. LILLEY

did knowingly, in and affecting interstate and foreign commerce, recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, namely, , and did benefit financially and by receiving anything of value from participation in a venture engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud and coercion as defined in Title 18, United States Code, Section 1591(e)(2), and any combination of such means, would be used to cause SS and AS to engage in a commercial sex act, and knowing, and in reckless disregard of the fact, and having had a reasonable opportunity to observe , that SS and AS had not attained the age of 18 years and would be caused to engage in a commercial sex act. In violation of 18 U.S.C. § 1591(a)

2. Beginning on at least June 2013 and continuing through on or about September 6, 2013, in the Western District of Tennessee, the defendant,

MICHAEL A. LILLEY

together with others known and unknown to the Grand Jury, did knowingly in and affecting interstate and foreign commerce, combine, conspire, confederate and agree to

commit an offense against the United States, namely, to recruit, entice, harbor, transport, provide, obtain, or maintain by any means a person, namely, SS and AS, and benefit financially and by receiving anything of value from participation in a venture engaged in such acts, knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, and coercion as defined in Title 18, United States Code, Section 1591(e)(2), and any combination of such means, would be used to cause SS and AS to engage in a commercial sex act, and knowing, and in reckless disregard of the fact, and having had a reasonable opportunity to observe SS and AS, that SS and AS had not attained the age of 18 years and would be caused to engage in a commercial sex act, in violation of Title 18, United States Code, Section 1591(a). all in violation of 18 USC 1594(c)

I further state that I am a Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:

(SEE AFFIDAVIT OF SPECIAL AGENT TRACEY HARRIS BRANCH WHICH IS ATTACHED HERETO AND FULLY INCORPORATED HEREIN BY REFERENCE)

Continued on the attached sheet and made a part hereof X Yes No


Signature of Complainant

Sworn to before me, and subscribed in my presence

Date: 9/9/13

at Memphis, Tennessee

Tu M. Pham, U.S. Magistrate Judge
Name & title of Judicial Officer

s/Tu M. Pham

Signature of Judicial Officer

ATTACHMENT TO COMPLAINT OF MICHAEL A. LILLEY

AFFIDAVIT OF TRACEY HARRIS BRANCH

I, Tracey Harris Branch, Special Agent of the Federal Bureau of Investigation, Memphis Division, being duly sworn, state that the following information is true and correct to the best of my knowledge, information and belief:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since March 29, 1998. I am currently assigned to the Memphis Field Office where one of my primary responsibilities is investigating Human Trafficking. I have been the primary investigator in several significant Human Trafficking investigations and have testified on multiple occasions regarding these investigations. I have received extensive training in criminal investigations, specifically in the area of Human Trafficking of minors. I have received numerous awards for human trafficking investigations including an Attorney General's Award from AG Eric Holder in 2010.
2. As an FBI Agent, your Affiant is authorized to investigate crimes involving the sexual exploitation of children pursuant to Title 18, United States Code, Section 2251, et seq. Section 2251(a) makes it a federal offense for any person to employ, use, persuade, induce, entice, or coerce any minor to engage in, or who has a minor assist any other person to engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct; Section 2252(a) makes it a federal offense to knowingly possess a visual depiction involving the use of a minor engaging in sexually explicit conduct and such visual depiction is of

such conduct; Section 1591 makes it a federal offense to knowingly recruit, entice, harbor, transport, provide, obtain or maintain by any means, or benefit financially or by receiving anything of value, or from participating in a venture, whereby such means will be used to cause a person, who has not attained the age of 18 years, to engage in a commercial sex act.

3. This application is part of an investigation into MICHAEL A. LILLEY (hereinafter Lilley) for the alleged production and possession of child pornography, specifically images depicting a minor child (person under the age of 18 years), engaged in "sexually explicit conduct" as defined in Title 18, U.S.C. Section 2256(2)(A), in violation of 18 U.S.C. Sections 2251 (a) and 2252(a)(4)(B); and the knowing participation and benefit in a venture where such means, as described in U.S.C. Section 1591(a)(1) were used to cause a minor to engage in a commercial sex act, in violation of said section.
4. The following information was obtained through observations and conversations of your Affiant personally, through the assistance of other law enforcement agents and agencies, including their reports, and through other sources specifically named in this affidavit.
5. On August 21, 2013, Shelby County Sheriff's Deputy Jan Bartlett received information regarding the recruitment and use of minor females by Lilley for prostitution. This information originated from two students who attended Millington High School who had reported it to the school crisis counsellor, Barbara Martin.

6. On August 22, 2013, FBI Agents, to include your Affiant, interviewed the two students who had provided the information, J.A., 17 years of age, and S.S., also 17 years of age at the Millington High School.
7. On or about February, 2013, J.A. was told by another minor, J.O., 17 years of age, that J.O. was going to start working for Lilley by recruiting girls to engage in prostitution. From June to July of this same year, J.A. began hanging around with J.O. at the residence of Lilley in Millington Tennessee. Lilley's residence had a main house and another enclosure in the back yard called the "back house". The "back house" contained a small kitchen, a television with a cable box, and three bedrooms. This was the place where J.A., S.S., J.O., and several other girls hung out, drank alcohol, smoked marijuana and where the girls engaged in sex with adult Hispanic men. J.A. knew some of the girls to be minors through school and or by them identifying themselves as minors or appearing to be under the age of 18. During this time, J.A. witnessed Lilley bring Hispanic men to the back house from the main house, provide girls with condoms, and then saw the girls go into the bedrooms with the men. J.A. saw the girls go through this process with several men in one night. He also witnessed Lilley give one of the girls cash after she had been with several men. J.A. learned that the men were being charged between \$60 and \$75 per session. J.A. identified one of the girls as K.F., a fifteen year old student at Millington High school who had been paid \$300 to spend the entire night with one man. On a few occasions, Lilley would come to the "back house" and ask one of the girls to come to the main house to meet with a man. On a Sunday

night in July of this year, while J.A. was hanging out at the "back house", Lilley came there and told one of the girls that she had to come with him because he had meetings set up for her with two men. Lilley and the girl then left together. J.A. could only identify three other girls who worked for Lilley by their first names. One of them drove a white car and he believed she was 18 years of age while the other two girls were from Munford and were 15 years of age. Also in July, Lilley showed J.A. a picture on his cell phone of a naked female. The picture showed a girl from the neck down and J.A. believed it was one of the minor females as it did not look like the 18 year old. The phone was a black smart phone. Lilley sent pictures of the girls to potential clients, however, the girls complained to him and told him they did not want him sending any face pictures to the men to which Lilley said he would comply.

8. In the summer of 2013, S.S. was approached by J.O. and asked to work as a prostitute for Lilley. S.S. initially declined the offer but later called Lilley to discuss the matter with him directly. S.S. described Lilley as a white male who spoke Spanish and would travel to many of the Mexican restaurants in and about the Millington area. He drove a white van and lived on Martinwest Drive in Millington Tennessee. He had a main residence and another building in the backyard that contained a small kitchen, three bedrooms, and a bathroom. Two of the bedrooms had one mattress while the other contained two mattresses. When S.S. met Lilley, he picked her up in his van and told her that he could charge \$60 a session for her to have sex with men and that he would give her half of the money.

When they arrived at his residence, Lilley used his cell phone, a smart phone with a big screen, to take pictures of S.S. both clothed and with her wearing only her underwear. Lilley asked S.S. to remove her underwear, however, she refused. Lilley subsequently set up S.S. to have sex with a Hispanic man and when it was over he paid her the full amount. Lilley asked S.S. to recruit other girls to work for him. Over the next several weeks S.S. worked as a prostitute for Lilley and engaged in sex with men at the back house behind Lilley's house on Martinwest Drive, at the homes and trailers of men Lilley set up to meet, and in the van while parked in the parking lots of the restaurants. Lilley collected the money from the men and provided the condoms to the girls before they had sex with them. Lilley paid J.O. \$20 out of every \$100 that the girls made. S.S. worked for Lilley with four other girls, three of which she could only identify by their first names. S.S. identified one of the girls as K.F., and pointed her picture out in the 2012 Millington High School year book freshman class. S.S. believed two of the other girls were 15 years of age and the other one was 17 years of age. The 17 year old drove a white car. S.S. saw pictures of one of the 15 year old girls on Lilley's phone. Lilley would also take pictures of the girls with a silver digital camera while they were engaged in sex with the men. S.S. saw pictures on the camera of the girls engaged in oral sex. Lilley usually kept the camera in his van and on his person. Approximately six weeks ago, S.S. stole \$1700 from Lilley and no longer worked for him. The last time S.S. saw the girls or Lilley was about two weeks ago when she saw Lilley, the two 15 year olds and J.O. riding together in Lilley's van.

9. On 8/23/2013, your Affiant observed a white minivan in the driveway of 6335 Martinwest Drive, Millington TN. There was also a green garbage can with the word "LILLEY" spray painted in black near the street in the front of the yard. The white van had a Tennessee license plate bearing C40-16P. A check of the Tennessee Department of Safety for said license plate indicated the owner as Michael Lilley, 6335 Martinwest Drive, Millington Tennessee, 38053.
10. On 8/27/2013, a check of the Choicepoint online database indicated the following information: Michael A. Lilley; social security number XXX-XX-XXXX; date of birth XXXXXXXX; address 6335 Martinwest Drive, Millington TN 38053. On this same date a check of the Memphis Light Gas and Water customer Information system indicated the following information: customer, Michael A. Lilley, 6335 Martinwest Drive; Account active.
11. On 09/06/2013, a federal search warrant led by the Federal Bureau of Investigation was executed at 6335 Martinwest Drive, Michael A. Lilley's residence. At the time of the search warrant, four individuals were located in Lilley's "back house" to include three minors.
12. J.O. was one of the minors located at the residence and provided a statement to investigators. He advised that he had been working as a recruiter for Lilley for approximately 6 months. J.O. recruited girls from his high school, Millington Central High School as well as Brighton High School to work in prostitution for Lilley. Additionally, J.O. provided security for the girls while they were engaging in prostitution. J.O. was promised payment from Lilley but rarely received any

money due to Lilley's financial situation. J.O. mostly received items from the girls he recruited such as cigarettes.

13. J.O. admitted that he recruited S.S. as well as two of the individuals located in the residence on the night of the search warrant. A.S., a 16 year old Brighton High School student, was in the house and recruited by J.O. J.O. acknowledged that he used his charm with teenage girls in an effort to convince them to work for Lilley. Lilley was responsible for setting up the dates for the girls which were exclusively with Hispanic males. Lilley gave the girls half of the money they made from prostitution. J.O. accompanied Lilley when he transported the girls to dates which included various residences and at times the girls had sex in Lilley's van. Lilley also frequented various Mexican restaurants where Hispanic employees there paid to have sex with the girls.
14. J.O. recruited as many as 6 girls to work for Lilley. J.O. also had the opportunity to have sex with the girls whenever he desired. Lilley provided alcohol to the girls and J.O. purchased marijuana for their use.
15. A.S. was interviewed by investigators on 09/06/2013 and advised that she was recruited by J.O. and was under the impression that the two of them were developing a relationship. She acknowledged working as a prostitute starting 3 months ago for Lilley and did receive half of the money earned. A.S. estimated that she earned a total of \$1,200 working in prostitution of which she kept \$600. Lilley transported her to various areas to engage in prostitution such as Covington, Bartlett, and Collierville to have sex with Hispanic males. Lilley provided her with

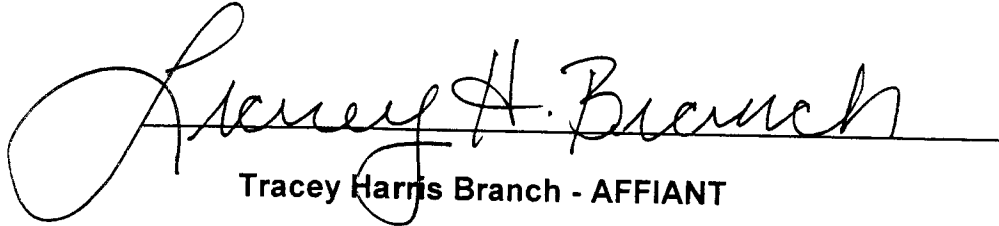
Lifestyles condoms to utilize for prostitution. Ultimately, a friend of A.S. convinced her to stop working in prostitution although she continued to go to Lilley's house.

16. S.J., an 18 year old was interviewed by investigators on 09/06/2013 and advised that she had been residing at Lilley's home. S.J. acknowledged working in prostitution for Lilley and had at one point dated J.O. Lilley transported her to various places to engage in prostitution with Hispanic males. S.J. knew A.S. was also working in prostitution for Lilley.

BACKGROUND

1. Based upon my training and experience, I know that sex traffickers ("pimps") frequently employ both willing adult prostitutes and minors or coerced sex trafficking victims to engage in commercial sex acts ("prostitution").
2. Based upon my training and experience, and information obtained from this investigation, I know that pimps use digital cameras, digital video recorders, and related media to take pictures and videos of girls and women under their control. I further know that this is done for several reasons. Pimps post the video and photographs to the internet as a means of advertising commercial sex acts. Pimps are also frequently "collectors" who retain images and video of girls and women under their control as souvenirs. Pimps also manufacture pornographic or sexually explicit videos and photographs to satisfy their prurient interest. Pimps also use videos or photographs to degrade or blackmail girls and women under their control.

AND FURTHER, AFFIANT SAITH NOT.


Tracey Harris Branch - AFFIANT

Special Agent, Federal Bureau of Investigation

Sworn to and subscribed before me this 9th day of September, 2013.

s/Tu M. Pham

UNITED STATES MAGISTRATE JUDGE